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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,506	02/18/2004	Rafail Zubok	SPINE 3.0-455	2911
530 7590 01/13/2009 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090				
EXAMINER CUMBERLEDGE, JERRY L				
ART UNIT		PAPER NUMBER		
3733				
MAIL DATE		DELIVERY MODE		
01/13/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/781,506

Applicant(s)

ZUBOK ET AL.

Examiner

JERRY CUMBERLEDGE

Art Unit

3733

All participants (applicant, applicant's representative, PTO personnel):

(1) Jerry Cumberledge.

(3) _____.

(2) Kevin Kocun.

(4) _____.

Date of Interview: 23 December 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1, 20 and 21.

Identification of prior art discussed: Hamada (US Pat. 6,425,920 B1); Marnay (US Pat. 5,314,477).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The actuator and its pushing function were discussed. Also, Applicant's representative brought co-pending cases to the examiner's attention. Further search and/or consideration will be required by the examiner upon receipt of claim amendments.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Jerry Cumberledge/
Examiner, Art Unit 3733